

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

MICHAEL D. CANADA,	)	
	)	
Plaintiff,	)	
	)	Case No. 4:04-CV-00063
v.	)	
	)	<b><u>ORDER</u></b>
JO ANNE B. BARNHART,	)	
Commissioner of Social Security,	)	By: Jackson L. Kiser
	)	Senior United States District Judge
Defendant.	)	

The Plaintiff's *Motion for Attorney's Fees* [16] filed on June 23, 2006 by Michael D. Canada ("Plaintiff") for an award of attorney's fees under the provisions of 42 U.S.C. § 406(b) is now before this Court. In a *Response* [17] entered on July 11, 2006, the Defendant noted no objection to the award of attorney's fees to the Plaintiff. Magistrate Judge B. Waugh Crigler filed a *Report and Recommendation* [18] on July 14, 2006 recommending that this Court grant the Plaintiff's *Motion for Attorney's Fees* filed under the *Social Security Act*, 206(b), 42 U.S.C. §406(b), and award counsel for the Plaintiff \$7,100.00 in attorney fees to be withheld from Plaintiff's past due benefits.

Accordingly, the *Report and Recommendation* of the Magistrate Judge is hereby **adopted**, the *Plaintiff's Motion for Attorney's Fees* of is hereby **granted**, and it is hereby **directed** that fees of \$7,100 be paid to the counsel for the Plaintiff.

The Clerk is directed to send a certified copy of this *Order* to all counsel of record and to Magistrate Judge B. Waugh Crigler.

ENTERED this 18<sup>th</sup> day of July, 2006.

s/Jackson L. Kiser  
Senior United States District Judge